

REMARKS

For the convenience of the Examiner set forth below is a recapitulation of the current Status of the Claims in the present invention.

CLAIM	STATUS	DEPENDENCY
1	Canceled	-
2	Canceled	-
3	Canceled	-
4	Canceled	-
5	Currently amended	21
6	Currently amended	21
7	Canceled	-
8	Canceled	-
9	Canceled	-
10	Canceled	-
11	Canceled	-
12	Canceled	-
13	Canceled	-
14	Currently amended	21
15	Currently amended	21
16	Currently amended	21
17	Previously presented	16
18	Previously presented	16

19	Canceled	-
20	Currently amended	Independent
21	Allowed	Independent
22	Allowed	Independent

A conversation with Supervisory Patent Examiner Lee W. YOUNG has indicated that Examiner Steven Cronin has replaced Examiner Maerena W. BREVARD after the mailing date of the July 15, 2004 Office Action by Examiner BREVARD.

Comments of Examiner Maerena W. BREVARD have been reviewed carefully along with pertinent sections of the Patent Act, Patent Rules, the Manual of Patent Examining Procedures, legal treatises and relevant decisional law. The Application has been amended in accordance with Examiner BREVARD's requirements and favorable reconsideration of the Application, as amended, is solicited earnestly.

Claims 21 and 22 have been allowed.

Claims 1, 4 and 7 have been cancelled in accordance with Examiner BREVARD's comments.

Claims 2, 3, 8-13 and 19 have also been cancelled.

Claims 1, 2, 5, 6 and 8-18 have been rejected under 35 USC 103 as being unpatentable over Welch in view of Oliver. Reconsideration of the Examiner's rejection of Claims 5, 6, 14-18 and 20 is respectfully requested on the following basis.

1 Examination of the Oliver patent shows that Oliver teaches a belt buckle with clips or prongs which support a rigid metal can of smokeless tobacco. Claim 5 has been amended to depend from allowed claim 21 and to add the limitation that the first receptacle is flexible to distinguish from the prior art of Oliver who provides a rigid tobacco can.

2. Claim 6 has been amended to depend from claim 5.

3. Claims 5, 14-16 have each been amended to depend from allowed claim 21. Claims 17 and 18 depend from claim 16.

4. Claims 14 and 15 have been amended to add the limitation that the hook member and the loop member are each flexible to distinguish the present invention from Oliver who shows a metal hook and a metal loop.

5. Regarding claims 16, 17 and 18, the Examiner has stated that Welch shows a concave upper edge and a convex lower edge and a side edge with rounded corners . A review of the Welch patent does not reveal a concave upper edge and a convex lower edge and a side edge with rounded corners. The corners of the side edges in Welch appear angled and not rounded. The upper edge of Welch is straight. The pockets of Welch at first may give the appearance of being rounded however upon closer inspection it is found that this is only because the pockets have been illustrated as being slightly open.

6. Claim 20 has been amended to add the limitation that the first receptacle and the first panel are each flexible.

No new matter has been added.

Reconsideration is respectfully requested for claims 5, 6, 14-18 and 20.

Claims 5, 6, 14-18 and 20 are believed to be patentable.

Claims 21, 22 are allowed.

Claims 5, 6, 14-16 and have been amended to depend from allowed claim 21 and to add limitations as indicated above.

In view of the foregoing amendments, submissions and explanations it is believed that Claims 5, 6, 14-18 and 20-22 are patentable and that the Application is in condition for Allowance. An early Notice of Allowance will be appreciated.

The courtesy, cooperation and skill of Examiner Steven Cronin Examiner Lee W. YOUNG and Examiner Maerena W. BREVARD are appreciated.

Respectfully,



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